

REMARKS

Claims 36-59 are pending in the application. Claims 36-38 have been amended. No new matter has been added. Support for the claim amendments may be found in the specification, drawings, and claims as originally filed.

As an initial matter, Applicants' wish to thank Examiner Laneau for the courtesy of a telephone discussion extended to Applicant's representative on August 30, 2010. During the discussion, certain claims were discussed with respect to the cited reference of U.S. Patent No. 5,771,282 ("Friedes"). While the Examiner preferred to wait to analyze the claims after receiving this response, he encouraged Applicants to make the above identified amendments to each of the independent claims.

Claim Rejections – 35 U.S.C. §101

Applicants assume the rejection of claim 20, under 35 U.S.C. §101, was intended for claims 36-38. Claims 36-38 have been amended per the appreciated suggestion of the Examiner to recite a non-transitory computer-readable storage medium. Therefore, Applicants request that the §101 rejections of claims 36-38 be withdrawn.

Claims 36-59 are Allowable

The Office has rejected claims 36-59, under 35 U.S.C. §102(a), as being anticipated by Friedes. Applicants respectfully traverse the rejections.

Claims 36 and 39-45 are Allowable

The cited portions of Friedes do not disclose or suggest the specific combination of claim 36. For example, the cited portions of Friedes fail to disclose or suggest a non-transitory computer-readable storage medium to store an allocation of shared account units for use of a second subscriber service and available for use of a first subscriber service, as in claim 36. Friedes describes aggregated billing for calls originating from separate phone stations. *See* Friedes, column 4, lines 13-20. Charges contained in a billing record for calls associated with a common account number can be combined to yield an aggregate bill. *See* Friedes, Abstract. Combining billing records is not the same as storing an allocation of shared account units. For example, billing records can track prior usage, but are not used to actively allocate shared

account units. Additionally, the combined billing records of Friedes are not shared between the separate phone stations. Therefore, the cited portions of Friedes fail to disclose or suggest a non-transitory computer-readable storage medium to store an allocation of shared account units for use of a second subscriber service and available for use of a first subscriber service, as in claim 36.

In another example, the cited portions of Friedes fail to disclose or suggest a non-transitory computer-readable storage medium to store instructions that, when executed by a processor, cause the processor to allocate a determined type of account units to a first subscriber service, as in claim 36. Friedes describes recording a length and a time of a call. *See* Friedes, column 3, lines 41-49. Recording a prior event (e.g., a call duration) is not the same as allocating a determined type of account units to a first subscriber service, as in claim 36. Recording charges of prior usage does not involve determining and allocating a type of account unit (e.g., shared or unshared account units). Thus, the cited portions of Friedes fail to disclose or suggest at least this element of claim 36.

In another example, the cited portions of Friedes fail to disclose or suggest a non-transitory computer-readable storage medium to store instructions that, when executed by a processor, cause the processor to determine a type of account units to be utilized by a first subscriber service based on a number of unshared account units remaining, where an allocation of unshared account units is utilized by the first subscriber service prior to utilization of an allocation of the shared account units by the first subscriber service, as in claim 36. Friedes describes determining whether calls received at a switch originated at a telephone station have an identifier associated with a common account number. *See* Friedes, column 2, lines 5-7. Identifying an origin of a call that has been placed is not that same as determining a type of account units to be utilized. Additionally, a call identifier tracks charges associated with a user and is not shared between, allocated, or utilized by a subscriber service. Therefore, the cited portions of Friedes fail to disclose or suggest a non-transitory computer-readable storage medium to store instructions that, when executed by a processor, cause the processor to determine a type of account units to be utilized by a first subscriber service based on a number of unshared account units remaining, where an allocation of unshared account units is utilized by the first subscriber service prior to utilization of an allocation of the shared account units by the first

subscriber service, as in claim 36. Hence, claim 36 is allowable. Claims 39-45 are allowable, at least by virtue of their dependence from claim 36.

Claims 37 and 46-52 are Allowable

The cited portions of Friedes do not disclose or suggest the specific combination of claim 37. For example, the cited portions of Friedes fail to disclose or suggest a non-transitory computer-readable storage medium to store an allocation of shared account units for use of a second subscriber service and available for use of a first subscriber service, as in claim 37. Friedes describes aggregated billing for calls originating from separate phone stations. *See* Friedes, column 4, lines 13-20. Charges contained in a billing record for calls associated with a common account number are combined to yield an aggregate bill. *See* Friedes, Abstract. Combining billing records is not the same as storing an allocation of shared account units. For example, billing records can track prior usage, but are not used to actively allocate shared account units. Therefore, the cited portions of Friedes fail to disclose or suggest a non-transitory computer-readable storage medium to store an allocation of shared account units for use of a second subscriber service and available for use of a first subscriber service, as in claim 37.

In another example, the cited portions of Friedes fail to disclose or suggest a non-transitory computer-readable storage medium to store instructions that, when executed by a processor, cause the processor to allocate a determined type of account units to a first subscriber service, as in claim 37. Friedes describes recording a length and a time of a call. *See* Friedes, column 3, lines 41-49. Recording a call length is not the same as allocating a determined type of account units to a first subscriber service, as in claim 37. Additionally, recording charges of prior usage does not involve determining and allocating a type of account unit (e.g., shared or unshared account units). Thus, the cited portions of Friedes fail to disclose or suggest at least this element of claim 37.

In another example, the cited portions of Friedes fail to disclose or suggest a non-transitory computer-readable storage medium to store instructions that, when executed by a processor, cause the processor to determine a type of account units to be utilized by a first subscriber service based on a number of shared account units remaining, where an allocation of unshared account units is utilized by the first subscriber service after exhaustion of an allocation of shared account units, as in claim 37. Friedes describes determining whether calls received at a

switch originated at a telephone station having an identifier associated with a common account number. *See* Friedes, column 2, lines 5-7. Identifying an origin of a call after it has been placed is not that same as determining a type of account units to be utilized. Additionally, a call identifier tracks charges associated with a user and is not shared between, allocated, or utilized by a subscriber service. Therefore, the cited portions of Friedes fail to disclose or suggest a non-transitory computer-readable storage medium to store instructions that, when executed by a processor, cause the processor to determine a type of account units to be utilized by a first subscriber service based on a number of unshared account units remaining, where an allocation of unshared account units is utilized by the first subscriber service prior to utilization of an allocation of the shared account units by the first subscriber service, as in claim 37. Hence, claim 37 is allowable. Claims 46-52 are allowable, at least by virtue of their dependence from claim 37.

Claims 38 and 53-59 are Allowable

The cited portions of Friedes do not disclose or suggest the specific combination of claim 38. For example, the cited portions of Friedes fail to disclose or suggest a non-transitory computer-readable storage medium to store an allocation of shared account units for use of a second subscriber service and available for use of a first subscriber service, as in claim 38. Friedes describes aggregated billing for calls originating from separate phone stations. *See* Friedes, column 4, lines 13-20. Charges contained in a billing record for calls associated with a common account number are combined to yield an aggregate bill. *See* Friedes, Abstract. Combining billing records is not the same as storing an allocation of shared account units. For example, billing records can track prior usage, but are not used to actively allocate shared account units. Additionally, the combined billing records of Friedes are not shared between the separate phone stations. Therefore, the cited portions of Friedes fail to disclose or suggest a non-transitory computer-readable storage medium to store an allocation of shared account units for use of a second subscriber service and available for use of a first subscriber service, as in claim 38.

In another example, the cited portions of Friedes fail to disclose or suggest a non-transitory computer-readable storage medium to store instructions that, when executed by a processor, cause the processor to allocate a determined type of account units to one of a first

subscriber service and a second subscriber service, as in claim 38. Friedes describes recording a length and a time of a call. *See* Friedes, column 3, lines 41-49. Recording a call length is not the same as allocating a determined type of account units, as in claim 38. Additionally, recording charges of prior usage does not involve determining and allocating a type of account unit (e.g., shared or unshared account units). Thus, the cited portions of Friedes fail to disclose or suggest at least this element of claim 38.

In another example, the cited portions of Friedes fail to disclose or suggest a non-transitory computer-readable storage medium to store instructions that, when executed by a processor, cause the processor to determine a type of account units to be utilized by one of a first subscriber service and a second subscriber service, where relative usage of an allocation of shared account units by the one of a first subscriber service and a second subscriber service is limited according to a predefined usage ratio, as in claim 38. Friedes describes determining whether calls received at a switch originated at a telephone station having an identifier associated with a common account number. *See* Friedes, column 2, lines 5-7. Identifying an origin of a call that has been placed is not that same as determining a type of account units to be utilized. Additionally, a call identifier tracks charges associated with a user and is not shared between, allocated, or utilized by a subscriber service. Therefore, the cited portions of Friedes fail to disclose or suggest a non-transitory computer-readable storage medium to store instructions that, when executed by a processor, cause the processor to determine a type of account units to be utilized by one of a first subscriber service and a second subscriber service, where relative usage of an allocation of shared account units by the one of a first subscriber service and a second subscriber service is limited according to a predefined usage ratio, as in claim 38. Hence, claim 38 is allowable. Claims 53-59 are allowable, at least by virtue of their dependence from claim 38.

CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the references as applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.


Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the cited art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

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